

PINCHOT APPEALS TO THE PRESIDENT

Fears Interior Department Will Recommend Patenting of Cunningham Alaskan Claims.

HE WANTS TO SUBMIT A BRIEF

Unfortunately, He Says, Department Officials Can't Be Trusted for an Unbiased Judgment.

Washington, Nov. 13.—Expressing the fear that the interior department will recommend the patenting of the Cunningham Alaskan land claims which he believes to be fraudulent, Gifford Pinchot, former forester of the United States, has appealed to the president to allow him to submit a brief before any such action is given executive approval. Pinchot has written to the president under date of Nov. 7. Among other things, Pinchot's letter contains the following statements:

"It is unfortunately impossible to look with confidence to the officials of the interior department for an unbiased judgment in this matter, and it is clear that the protection of the public interest in these Alaskan coal lands must depend directly upon the president himself.

"See, Ballinger's connection with these claims, which have been before the interior department since he was commissioner of the land office, precipitated the so-called Ballinger-Pinchot controversy, and the congressional inquiry of the interior department and the forest service which resulted therefrom.

"PINCHOT'S LETTER.

"The letter also bears the signature of the former forester's brother, Amos Pinchot. Following is the text of the letter.

"New York, Nov. 7, 1910.

"Sir—The taking of testimony to determine the validity of the Cunningham claims has long since come to an end and the recommendation of the interior department to patent or not patent the claims will be made before long. There is reason to apprehend this recommendation will be favorable to the Cunningham claims and adverse to the interests of the people of the United States.

"The attorney for Mr. Ballinger, in the printed brief submitted in behalf of the secretary of the interior said:

"Moreover, an examination of the honesty or good faith of these claims and which is a part of the record in this case, reveals not only that the statements of Cunningham are true but that the Cunningham claims are not fraudulent, but honest. This is not stated for the purpose of having this committee consider the question of honesty or good faith of these claims for the purpose of decision or determination. It is stated solely that the committee see that the perjury could be committed by Cunningham and that Mr. Ballinger, by no possibility could have understood these claims to be fraudulent, but good and valid claims. The evidence of all the claims, except one, who is dead, has been taken in the Cunningham hearing and is now on file. It shows conclusively that none of the claimants entered into an agreement prior to location or prior to the initiation of the entry for consolidation of their claims."

BALLINGER'S POSITION.

"It is difficult to avoid the conclusion that these deliberate assertions represent the opinion of the latter, reached after the evidence was all in, that the claims are valid and should be patented.

"It is true that Mr. Ballinger has refused to act himself in behalf of the government, on the ground that he formerly represented the Cunningham claimants and accordingly has turned over all responsibility to his assistants.

"While we recognize that the law under which these patents are sought is fundamentally sound, the limitations upon the area which can be embraced by any one entry as to hinder development of Alaskan coal lands it is nevertheless obvious that the remedy does not lie in patenting unlawful claims.

"It is of the highest importance that the government's coal fields in Alaska should not be illegally acquired by any individual or syndicate, but should be held in the public domain until legislation is obtained which will at once protect the people's interest and provide a fair opportunity for development.

"Because of the attitude of the interior

department and of the peculiar circumstances of this public interest in these Alaskan coal lands must depend directly upon the president himself.

"In your letter to me of Jan. 7, 1910, you said with reference to the Cunningham claim:

"Even patent as an executive act is completely within the jurisdiction of the president to direct the withholding of it in order that he may examine the evidence as to the validity of the claim."

"PINCHOT'S COUNSEL.

"We are advised by counsel retained for the purpose of reporting on the Cunningham claim that the testimony of the claimants themselves shows abundantly and conclusively that the claims are fraudulent and that they were made in violation of the statute designed to prevent monopoly.

"Among the recent indictments found against claimants for coal lands in Alaska there are several which name the Cunningham group.

"The record is voluminous. The ease against the claimants consists in a mass of documentary evidence corroborated by facts elicited from the claimants themselves.

"The record indicates that the force of certain important lines of evidence was not grasped by the attorneys for the government. We believe a brief giving due consideration to such evidence would be of material assistance in reaching a judicial determination on all the points involved in the case.

"Reliance upon the welcome assurance contained in your letter of Jan. 7, and realizing how manifold and arduous are the tasks which prior upon the time and attention of the president, we respectfully request that in case the interior department reach decision in favor of patenting the claims, you will allow us to submit our own consideration a brief before making a decision as to whether you will permit your signature to be affixed to the patents. Very respectfully yours, (Signed) "GIFFORD PINCHOT, "AMOS PINCHOT, "22 Nassau Street."

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"The statement continues in part:

"The Cunningham claims made in 1907 were provoked without discussion and popular interest, largely because of their value and method of attempted acquisition. Wholly unfounded charges have been spread abroad, involving the integrity of departmental officers toward these cases.

"In view of these conditions, I deem it of the highest importance that all these cases, involving 25,000,000 acres of public lands, be transferred from the jurisdiction of the general land office direct to the court of appeals of the District of Columbia for consideration and adjudication without creation and adjunction of a ruling as to the validity or invalidity of said entries by the commissioner of the general land office, as is now required in such cases.

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NEW PERFECTION Wick Blue Flame Oil Cook-Stop.

HER PHYSICIAN APPROVES

Taking Lydia E. Pinkham's Vegetable Compound

Sabatius, Maine.—"You told me to take Lydia E. Pinkham's Vegetable Compound and I am glad to say it helped me."

Compound and I am glad to say it helped me."

Compound, that helped you."

"I thank you for your kindness in advising me and give you full permission to use my name in your testimonials."

"Mrs. H. W. Mitchell, Box 3, Sabatius, Me."

Another Woman Helped.

Granville, Vt.—"I was passing through the Change of Life and suffered from nervousness and other annoying symptoms. Lydia E. Pinkham's Vegetable Compound restored my health and strength, and proved worth mountains of gold to me. For the sake of other suffering women I am willing you should publish my letter."

"Mrs. CHARLES BARCLAY, R.F.D., Granville, Vt."

Women who are passing through this critical period of life are suffering from nervousness and other annoying symptoms. Lydia E. Pinkham's Vegetable Compound, which is made from roots and herbs, has been the standard remedy for these ailments. In almost every community you will find women who have been restored to health by Lydia E. Pinkham's Vegetable Compound.

Nevertheless, this unequalled endorsement of the value of the claims through his attorney can scarcely be said to have great moral weight with his subordinates.

"For them to render a decision adverse to the claims would not only lend support to criticisms heretofore made against the department, but would amount to taking direct issue with their chief on the argument made for him by his personal counsel.

"In view of these facts, it is impossible to look with confidence to officials of the interior department for an unbiased judgment. If the decision of the interior department should be to patent the Cunningham claims, no appeal to the courts could be possible."

"According to the testimony of representatives of the Morgan-Guggenheim syndicate, who have long asserted a half interest in the Cunningham claims, their ultimate value is in the neighborhood of \$25,000,000, but of loss to the people of the United States that would follow the issue of patents by no means is limited to any such sum."

"Although the government would receive but little more than \$50,000 for claims worth many millions, a decision favorable to the Cunningham claimants would not merely result in an unjustifiable loss to the public at large, it also would establish a precedent which might amount to patent other illegal claims outside of the Cunningham group, to the value of many millions of dollars.

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BOYHOOD AND ALCOHOL

There are some things too awful to contemplate—one is the giving of alcohol in the guise of medicine to boys.

We believe

Scott's Emulsion

is the only preparation of Cod Liver Oil that contains absolutely no alcohol, drug or harmful ingredient of any sort.

ALL DRUGGISTS

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NEW PERFECTION Wick Blue Flame Oil Cook-Stop.

Ready at any moment for cooking, baking, broiling. Does not overheat the kitchen.

A splendid stove for economic cooking. Economical and easily regulated. Three sizes.

CONTINENTAL OIL COMPANY (Incorporated)

My daddy says then use Aberdeen Coal

at Fort Douglas because it's the best in the west by government test

ALL DEALERS SELL IT

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STREET CAR AND TRAIN COLLIDE

Six Persons Killed, Twenty-six Injured, Four of Them Probably Fatally.

BURNED BY ELECTRICITY

Current Continually Running Through Metallic Parts of Car—Engineer Ignored Speed Ordinance.

Kalamazoo, Mich., Nov. 13.—Six persons are dead and 26 injured, four probably fatally, as the result of a collision between a street car on the Kalamazoo City lines of the Michigan United Railways company and a west-bound express train on the Michigan Central railroad last night. All the dead and injured were passengers on the street car. The dead:

Ward Abbott, 25 years old, married, both legs cut off.

William Schaefer, 45; single; body severed and burned.

Miss Elvira Craig, 29; internal injuries and burns.

George M. Norman, 49; tailor, one arm and foot cut off.

Theodore Mosk, 26; papermaker of South Haven, Mich.; head severed from the body.

J. L. Lang, 55; blacksmith; killed instantly.

All the dead except Mosk lived at Kalamazoo.

The train was running into the city at high speed, and as it rounded a curve it cut into the street car.

Conductor Vern Van Horn of the street car was standing between the Michigan Central double tracks. He had struck and his car ahead, Van Horn claims he did not see the train or hear it, until it was directly upon him. It was then too late to stop his car.

The train hit the front end of the car, tearing it to bits. Mangled passengers, living and dead, were carried on the front of the engine nearly a block before the train was brought to a stop.

Motorman Abbott with both legs cut off was pulled from under the engine unconscious. The living were lifted from the wreckage and taken to the hospital.

The passengers who were caught in the car were burned and shocked from an electric current that was continuing to run through the metallic parts of the car until the trolley was removed.

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